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10 Attorney for Defendants

11 TEACHBK, INC., ILYA KISELEV,

12 and ANDREI BURTSEV

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 MIRIAM GOLDBERG, a/k/a Marina) **Case No.: 3:24-cv-04525-LJC**
16 Sokolovskaya,)
17 Plaintiff,) **FIRST AMENDED ANSWER TO**
18 vs.) **PLAINTIFF'S COMPLAINT FOR**
19 TEACHBK, INC., ILYA KISELEV, and) **DEFAMATION**
20 ANDREI BURTSEV)
21 Defendants.)

22 Defendants TEACHBK, INC., ILYA KISELEV, and ANDREI BURTSEV (collectively
23 “Defendants”), and each of them, deny this defamation-based action, the allegations contained in the
24 Complaint, and each of the claims contained therein, and hereby respectfully submit their First
25 Amended Answer to the Complaint filed by Plaintiff MIRIAM GOLDBERG a/k/a Marina
26 Sokolovskaya (“Sokolovskaya”). Defendants, and each of them, hereby admit, deny, and allege as
27 follows:

28 **I. ANSWER**

29 **NATURE OF THE CASE**

30 1. Answering Paragraph 1 of the Complaint, Defendants state that Plaintiff purports to
31 bring a defamation action. Except as expressly stated, Defendants deny they committed defamation,

1 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that
 2 Plaintiff is entitled to any relief whatsoever. Defendants are without sufficient knowledge or
 3 information to form a belief as to the truth of Plaintiff's allegations that she is the marketing director
 4 for a U.S. immigration law firm that assists Russian asylum seekers, and, on that basis, deny said
 5 allegations. Defendants admit that Russian residents may, upon payment of a fee, obtain a personal
 6 interview with Defendants Kiselev and Burtsev (YouTubers, bloggers and formerly accredited
 7 journalists) to ask questions, discuss their situation, express concerns and learn additional details
 8 concerning Defendants' own experiences seeking asylum in the United States from persecution in
 9 Russia that may be pertinent to the subscriber's situation. Defendants deny they offer immigration
 10 services. Except as expressly stated, Defendants deny each and every remaining allegation in
 11 Paragraph 1.

12 **PARTIES, JURISDICTION AND VENUE**

13 2. Answering Paragraph 2 of the Complaint, Defendants state that Plaintiff
 14 Sokolovskaya has represented in videos she posts online that she is a resident of Brooklyn, New
 15 York, but Defendants are without sufficient knowledge or information to form a belief as to the truth
 16 of Plaintiff's allegations about her residence, and, on that basis, deny said allegations. Defendants
 17 admit that Modern Law Group appears to be a U.S.-based law firm that handles immigration cases.
 18 Defendants deny that Plaintiff is a private figure or that Plaintiff lacks connection to the Russian
 19 government. Plaintiff's allegation that "[t]o suggest that she has any support for or connection with
 20 the Russian government is false, defamatory..." are legal conclusions and/or legal descriptions for
 21 which no response is required. To the extent a response is required to this allegation, Defendants
 22 deny it. Defendants are without sufficient knowledge or information to form a belief as to the truth
 23 of any of the remaining allegations in this Paragraph and, on that basis, deny each and every
 24 remaining allegation in Paragraph 2.

25 3. Answering Paragraph 3 of the Complaint, Defendants admit that Defendant Kiselev is
 26 an individual residing in the state of California. Except as expressly stated, Defendants deny each
 27 and every remaining allegation in Paragraph 3.

28 4. Answering Paragraph 4 of the Complaint, Defendants admit that Defendant Burtsev

1 is an individual that currently resides in Rocklin, California. Except as expressly stated, Defendants
2 deny each and every remaining allegation in Paragraph 4.

3 5. Answering Paragraph 5 of the Complaint, Defendants admit they run and administer
4 various social media channels that post topics related to their personal travel/journey from Russia to
5 the United States as Russian asylum seekers, as well as topics that are of general interest to the
6 public related to the issues of immigration to the United States. Defendants admit they incorporated
7 TeachBK. Except as expressly stated, Defendants deny each and every remaining allegation in
8 Paragraph 5.

9 6. Answering Paragraph 6 of the Complaint, Defendants admit Defendants Kiselev and
10 Burtsev are the sole owners and shareholders of Defendant TeachBK, Inc. Defendants admit
11 Defendants Kiselev and Burtsev properly dissolved Defendant TeachBK's corporate status in
12 Florida. Defendants admit they administer accounts under the TeachBK moniker across various
13 social media platforms. Except as expressly stated, Defendants deny each and every remaining
14 allegation in Paragraph 6.

15 7. Answering Paragraph 7 of the Complaint, Defendants admit Plaintiff Sokolovskaya
16 represented to Defendants that she was a resident of the state of New York. Defendants admit
17 Defendants Kiselev, Burtsev, and TeachBK are residents of the state of California, but deny that
18 Defendant TeachBK is a former entity, and further deny that Defendant TeachBK's corporate status
19 remains dissolved. Defendants deny they committed defamation, deny that Plaintiff was harmed as a
20 result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
21 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
22 Paragraph 7. Paragraph 7 also asserts purported recitations and legal conclusions of law to which no
23 response is required. To the extent a response is required, Defendants deny the allegations contained
24 in Paragraph 7.

25 8. Answering Paragraph 8 of the Complaint, Defendants deny Defendant Kiselev resides
26 in this District. Defendants deny that any of their acts were or are wrongful. Paragraph 8 also
27 asserts purported recitations and legal conclusions of law to which no response is required. To the
28 extent a response is required, Defendants deny the allegations contained in Paragraph 8.

1 9. Answering Paragraph 9 of the Complaint, Defendants admit they received written
2 communications from Modern Law Group and Slater Legal law firms. Except as expressly stated,
3 Defendants deny each and every remaining allegation in Paragraph 9.

INTRADISTRICT ASSIGNMENT

5 10. Answering Paragraph 10 of the Complaint, Defendants state that Paragraph 10 asserts
6 purported recitations and legal conclusions of law to which no response is required. To the extent a
7 response is required, Defendants deny the allegations contained in Paragraph 10.

GENERAL ALLEGATIONS

9 11. Answering Paragraph 11 of the Complaint, Defendants admit the TeachBK domain
10 and website was created in October 2020 and that the TeachBK YouTube channel was launched in
11 February 2021. Defendants admit that neither Defendant Kiselev nor Defendant Burtsev are
12 licensed as an attorney in the U.S. but deny any allegation that directly or impliedly alleges either of
13 said Defendants offered any legal services or advice at any time and to any person as alleged in the
14 Complaint. Defendants deny that the translated language included in Paragraph 11 is correct or that
15 it is a true representation of what Defendants posted on their social media accounts. Except as
16 expressly stated, Defendants deny each and every remaining allegation in Paragraph 11.

17 12. Answering Paragraph 12 of the Complaint, Defendants deny each and every
18 allegation in Paragraph 12.

19 13. Answering Paragraph 13 of the Complaint, Defendants admit that Russian residents
20 may, upon payment of a fee, obtain a personal interview with Defendants Kiselev and Burtsev
21 (YouTubers, bloggers and formerly accredited journalists) to ask questions, discuss their situation,
22 express concerns and learn additional details concerning Defendants' own experiences seeking
23 asylum in the United States from persecution in Russia that may be pertinent to the subscriber's
24 situation. Defendants further admit their website contains a clear disclaimer they do not provide
25 legal services and/or legal advice. Defendants deny any allegation that directly or impliedly alleges
26 Defendants offered any legal services or legal advice at any time and to any person without the
27 benefit of a license. Defendants deny they offer immigration services. Defendants also deny that the
28 translated language included in Paragraph 13 is correct or that it is a true representation of what

1 Defendants posted on their social media accounts. Except as expressly stated, Defendants deny each
2 and every remaining allegation in Paragraph 13.

3 14. Answering Paragraph 14 of the Complaint, Defendants deny they promote any
4 particular vendors on their website. Except as expressly stated, Defendants admit the remaining
5 allegations in Paragraph 14.

6 15. Answering Paragraph 15 of the Complaint, Defendants deny each and every
7 allegation in Paragraph 15.

8 16. Answering Paragraph 16 of the Complaint, Defendants deny each and every
9 allegation in Paragraph 16. Further answering, Defendants deny that they violated any federal law
10 or California state law or otherwise violated any law related to any content they placed in any public
11 forum hosted on the various social media platforms at issue in this litigation whether related to
12 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
13 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
14 whatsoever.

15 17. Answering Paragraph 17 of the Complaint, Defendants admit they received written
16 communications from Modern Law Group and Slater Legal law firms, but deny they removed videos
17 in response to the substance of said communications. Except as expressly stated, Defendants deny
18 each and every remaining allegation in Paragraph 17. Further answering, Defendants deny that they
19 violated any federal law or California state law or otherwise violated any law related to any content
20 they placed in any public forum hosted on the various social media platforms at issue in this
21 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,
22 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that
23 Plaintiff is entitled to any relief whatsoever.

24 18. Answering Paragraph 18 of the Complaint, Defendants deny Defendant Kiselev
25 threatened Plaintiff with sexual violence on Facebook. Defendants deny Valeriy Katkov is or was a
26 member of the Russian political opposition. Defendants further deny Valeriy Katkov is or was a
27 supporter of Aleksey Navalny. Defendants admit Katkov had, in the past, initiated legal proceedings
28 against Defendant Kiselev in the Moscow courts but, answer further that Katkov was unsuccessful

1 because Defendant Kiselev was judged by the Court in Moscow to be the prevailing party in those
2 proceedings. Defendants are without sufficient knowledge or information to form a belief as to the
3 truth of any of the remaining allegations in this Paragraph and, on that basis, deny each and every
4 remaining allegation in Paragraph 18.

5 19. Answering Paragraph 19 of the Complaint, Defendants admit Plaintiff reached out to
6 Valeriy Katkov, who is a Russian citizen, a current/former member of the Russian political elite, and
7 an owner of a news/media company used by the Russian political regime for purposes of
8 government propaganda, in September 2023. Defendants admit they learned about Plaintiff's
9 contact with Valeriy Katkov shortly after it occurred. Defendants further admit Katkov had, in the
10 past, initiated legal proceedings against Defendant Kiselev in the Moscow courts but Katkov was
11 unsuccessful because Defendant Kiselev was judged, by the Moscow courts, to be the prevailing
12 party in those proceedings. Except as expressly stated, Defendants deny each and every remaining
13 allegation in Paragraph 19.

14 20. Answering Paragraph 20 of the Complaint, Defendants admit that on September 7,
15 2023, they posted a video on their YouTube channel containing Defendants' fair comment and
16 opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the
17 Russian government. Defendants deny that the translated language included in Paragraph 20 is
18 correct or that it is a true representation of what Defendants posted on their social media accounts.
19 To the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1,
20 Defendants deny that Plaintiff's characterization, translation, and/or summary of the matters attached
21 as Exhibit 1 are true or accurate. Further answering, Defendants deny that they violated any federal
22 law or California state law or otherwise violated any law related to any content they placed in any
23 public forum hosted on the various social media platforms at issue in this litigation whether related
24 to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was
25 harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any
26 relief whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation
27 in Paragraph 20.

28 21. Answering Paragraph 21 of the Complaint, Defendants admit the title of a September

1 7, 2023, video posted on their YouTube channel reflects Defendants' fair comment and opinions
2 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
3 government. Defendants deny that the translated language included in Paragraph 21 is correct or
4 that it is a true representation of what Defendants posted on their social media accounts. To the
5 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny
6 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 are
7 true or accurate. Further answering, Defendants deny that they violated any federal law or
8 California state law or otherwise violated any law related to any content they placed in any public
9 forum hosted on the various social media platforms at issue in this litigation whether related to
10 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
11 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
12 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
13 Paragraph 21.

14 22. Answering Paragraph 22 of the Complaint, Defendants admit the cover of the
15 September 7, 2023, video they posted on their YouTube channel reflects Defendants' fair comment
16 and opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to
17 the Russian government. To the extent the allegations in the Complaint refer, incorporate, or are
18 based on Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of
19 the matters attached as Exhibit 1 are true or accurate. Further answering, Defendants deny that they
20 violated any federal law or California state law or otherwise violated any law related to any content
21 they placed in any public forum hosted on the various social media platforms at issue in this
22 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,
23 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that
24 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and
25 every remaining allegation in Paragraph 22.

26 23. Answering Paragraph 23 of the Complaint, Defendants admit that on September 7,
27 2023, they posted a video on their YouTube channel containing Defendants' fair comment and
28 opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the

1 Russian government. To the extent the allegations in the Complaint refer, incorporate, or are based
 2 on Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of the
 3 matters attached as Exhibit 1 is true or accurate. Further answering, Defendants deny that they
 4 violated any federal law or California state law or otherwise violated any law related to any content
 5 they placed in any public forum hosted on the various social media platforms at issue in this
 6 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,
 7 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that
 8 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and
 9 every remaining allegation in Paragraph 23.

10 24. Answering Paragraph 24 of the Complaint, Defendants admit that the summary to the
 11 September 7, 2023, video they posted on their YouTube channel reflects Defendants' fair comment
 12 and opinions related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to
 13 the Russian government. Defendants deny that the translated language included in Paragraph 24 is
 14 correct or that it is a true representation of what Defendants posted on their social media accounts.
 15 To the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1,
 16 Defendants deny that Plaintiff's characterization, translation, and/or summary of the matters attached
 17 as Exhibit 1 are true or accurate. Further answering, Defendants deny that they violated any federal
 18 law or California state law or otherwise violated any law related to any content they placed in any
 19 public forum hosted on the various social media platforms at issue in this litigation whether related
 20 to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was
 21 harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any
 22 relief whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation
 23 in Paragraph 24.

24 25. Answering Paragraph 25 of the Complaint, Defendants admit that the September 7,
 25 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions
 26 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
 27 government. Defendants deny that the translated language included in Paragraph 25 is correct or
 28 that it is a true representation of what Defendants posted on their social media accounts. To the

1 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny
2 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 are
3 true or accurate. Further answering, Defendants deny that they violated any federal law or
4 California state law or otherwise violated any law related to any content they placed in any public
5 forum hosted on the various social media platforms at issue in this litigation whether related to
6 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
7 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
8 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
9 Paragraph 25.

10 26. Answering Paragraph 26 of the Complaint, Defendants admit that the September 7,
11 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions
12 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
13 government. Defendants deny that the translated language included in Paragraph 26 is correct or
14 that it is a true representation of what Defendants posted on their social media accounts. To the
15 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny
16 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 are
17 true or accurate. Further answering, Defendants deny that they violated any federal law or
18 California state law or otherwise violated any law related to any content they placed in any public
19 forum hosted on the various social media platforms at issue in this litigation whether related to
20 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
21 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
22 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
23 Paragraph 26.

24 27. Answering Paragraph 27 of the Complaint, Defendants admit that the September 7,
25 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions
26 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
27 government. Defendants deny that the translated language included in Paragraph 27 is correct or
28 that it is a true representation of what Defendants posted on their social media accounts. To the

1 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny
 2 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 is
 3 true or accurate. Further answering, Defendants deny that they violated any federal law or
 4 California state law or otherwise violated any law related to any content they placed in any public
 5 forum hosted on the various social media platforms at issue in this litigation whether related to
 6 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
 7 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
 8 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
 9 Paragraph 27.

10 28. Answering Paragraph 28 of the Complaint, Defendants admit that the September 7,
 11 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions
 12 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
 13 government. Further answering, Defendants deny that they violated any federal law or California
 14 state law or otherwise violated any law related to any content they placed in any public forum hosted
 15 on the various social media platforms at issue in this litigation whether related to Plaintiff or
 16 otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed as a result
 17 of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever.
 18 Except as expressly stated, Defendants deny each and every remaining allegation in Paragraph 28.

19 29. Answering Paragraph 29 of the Complaint, Defendants admit that the September 7,
 20 2023 video they posted on their YouTube channel reflects Defendants' fair comment and opinions
 21 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
 22 government, and Defendants' fair comment and opinion regarding Plaintiff's posting of sensitive
 23 information about Russian citizens seeking political asylum in the U.S. that placed those persons in
 24 danger of persecution by Russian government. Defendants deny that the translated language
 25 included in Paragraph 29 is correct or that it is a true representation of what Defendants posted on
 26 their social media accounts. To the extent the allegations in the Complaint refer, incorporate, or are
 27 based on Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of
 28 the matters attached as Exhibit 1 is true or accurate. Further answering, Defendants deny that they

1 violated any federal law or California state law or otherwise violated any law related to any content
 2 they placed in any public forum hosted on the various social media platforms at issue in this
 3 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,
 4 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that
 5 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and
 6 every remaining allegation in Paragraph 29.

7 30. Answering Paragraph 30 of the Complaint, Defendants admit that the September 7,
 8 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions
 9 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
 10 government. Defendants deny that the translated language included in Paragraph 30 is correct or
 11 that it is a true representation of what Defendants posted on their social media accounts. To the
 12 extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants deny
 13 that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 1 is
 14 true or accurate. Further answering, Defendants deny that they violated any federal law or
 15 California state law or otherwise violated any law related to any content they placed in any public
 16 forum hosted on the various social media platforms at issue in this litigation whether related to
 17 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
 18 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
 19 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
 20 Paragraph 30.

21 31. Answering Paragraph 31 of the Complaint, Defendants are without sufficient
 22 knowledge or information to form a belief as to the truth of any of the allegations in this Paragraph
 23 and, on that basis, deny each and every allegation in Paragraph 31.

24 32. Answering Paragraph 32 of the Complaint, Defendants admit Defendant Kiselev
 25 posted a comment on Instagram in 2022 in response to a post by Valeriy Katkov related to Katkov's
 26 political candidacy. Defendants deny Katkov was an independent or an opposition political figure in
 27 Russian politics at any time, and further state that, during all relevant times herein and through
 28 present, Katkov has had an active and direct role in the Russian government either as a deputy, as a

1 consultant, and/or as a leading theoretician and professor of municipal law-making who routinely
2 trains Russian government employees, deputies, and ministers on the dogma and practice of Russian
3 municipal law. To the extent the allegations in the Complaint refer, incorporate, or are based on
4 Exhibit 2, Defendants deny that Plaintiff's characterization, translation, and/or summary of the
5 matters attached as Exhibit 2 are true or accurate. Except as expressly stated, Defendants deny each
6 and every remaining allegation in Paragraph 32.

7 33. Answering Paragraph 33 of the Complaint, Defendants admit Defendant Kiselev
8 posted a comment on Instagram in 2022 in response to a post by Valeriy Katkov related to Katkov's
9 political candidacy. To the extent the allegations in the Complaint refer, incorporate, or are based on
10 Exhibit 2, Defendants deny that Plaintiff's characterization, translation, and/or summary of the
11 matters attached as Exhibit 2 are true or accurate. Except as expressly stated, Defendants deny each
12 and every remaining allegation in Paragraph 33.

13 34. Answering Paragraph 34 of the Complaint, Defendants state that to the extent the
14 allegations in the Complaint refer, incorporate, or are based on Exhibit 2, Defendants deny that
15 Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 2 are true
16 or accurate.

17 35. Answering Paragraph 35 of the Complaint, Defendants admit Defendant Kiselev
18 posted a comment on Instagram August 30, 2022, in response to an open letter published by Valeriy
19 Katkov related to Katkov's political candidacy, but state that only a portion of Defendant Kiselev's
20 post is referenced in the Complaint. Defendants deny that the translated language included in
21 Paragraph 35 is correct or that it is a true representation of what Defendants posted on their social
22 media accounts. To the extent the allegations in the Complaint refer, incorporate, or are based on
23 Exhibit 2, Defendants deny that Plaintiff's characterization, translation, and/or summary of the
24 matters attached as Exhibit 2 are true or accurate. Except as expressly stated, Defendants deny each
25 and every remaining allegation in Paragraph 35.

26 36. Answering Paragraph 36 of the Complaint, Defendants state that to the extent the
27 allegations in the Complaint refer, incorporate, or are based on Exhibit 3, Defendants deny that
28 Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit 3 are true

1 or accurate.

2 37. Answering Paragraph 37 of the Complaint, Defendants deny each and every
3 allegation set forth in Paragraph 37. Paragraph 37 also asserts purported recitations and legal
4 conclusions of law to which no response is required. To the extent a response is required,
5 Defendants further deny the allegations contained in Paragraph 37. Further answering, Defendants
6 deny that they violated any federal law or California state law or otherwise violated any law related
7 to any content they placed in any public forum hosted on the various social media platforms at issue
8 in this litigation whether related to Plaintiff or otherwise. Defendants deny they committed
9 defamation, deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and
10 deny that Plaintiff is entitled to any relief whatsoever.

11 38. Answering Paragraph 38 of the Complaint, Defendants admit that the September 7,
12 2023, video they posted on their YouTube channel reflects Defendants' fair comment and opinions
13 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
14 government. Defendants deny that the translated excerpt included in Paragraph 38 is correct or is a
15 true representation of what either Defendant Kiselev or Defendant Burtsev stated in the September 7,
16 2023, video. To the extent the allegations in the Complaint refer, incorporate, or are based on
17 Exhibit 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of the
18 matters attached as Exhibit 1 is true or accurate. Further answering, Defendants deny that they
19 violated any federal law or California state law or otherwise violated any law related to any content
20 they placed in any public forum hosted on the various social media platforms at issue in this
21 litigation whether related to Plaintiff or otherwise. Defendants deny they committed defamation,
22 deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that
23 Plaintiff is entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and
24 every remaining allegation in Paragraph 38.

25 39. Answering Paragraph 39 of the Complaint, Defendants admit that Defendant
26 Kiselev's and Defendant's Burtsev's fair comment and opinions in their September 7, 2023 video
27 included a reference to Plaintiff's own video – whereby she gave an interview to a Modern Law
28 attorney Deron Edward Smallcomb, who stated: "you can only poke a sleeping bear so many times

1 before he wakes up; well, we've been poked one too many times" – and the significance of the use
2 of the "Russian bear" symbolism in discussing Plaintiff's alleged dispute with Defendants.
3 Defendants admit that the inclusion of an excerpt from the Soviet television show following
4 Defendant Kiselev's and Defendant Burtsev's fair comment and opinions in their September 7,
5 2023, video about Plaintiff's "Russian bear" interview with attorney Deron Edward Smallcomb, was
6 a satire of said subject matter. Defendants deny that the translated language included in Paragraph
7 39 is correct or that it is a true representation of what Defendants posted on their social media
8 accounts. To the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit
9 1, Defendants deny that Plaintiff's characterization, translation, and/or summary of the matters
10 attached as Exhibit 1 are true or accurate. Further answering, Defendants deny that they violated any
11 federal law or California state law or otherwise violated any law related to any content they placed in
12 any public forum hosted on the various social media platforms at issue in this litigation whether
13 related to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff
14 was harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to
15 any relief whatsoever. Except as expressly stated, Defendants deny each and every remaining
16 allegation in Paragraph 39.

17 40. Answering Paragraph 40 of the Complaint, Defendants admit that, at the time
18 Plaintiff filed her Complaint, the September 7, 2023, video Defendants posted on their YouTube
19 channel had been viewed by almost 8,000 people. Except as expressly stated, Defendants deny each
20 and every remaining allegation in Paragraph 40.

21 41. Answering Paragraph 41 of the Complaint, Defendants admit the May 18, 2024,
22 video posted on Defendants' YouTube channel reflects Defendants' fair comment and opinions
23 related to Plaintiff's activities that signify her potential connection to the Russian government. To
24 the extent the allegations in the Complaint refer, incorporate, or are based on Exhibit 1, Defendants
25 deny that Plaintiff's characterization, translation, and/or summary of the matters attached as Exhibit
26 1 are true or accurate. Further answering, Defendants deny that they violated any federal law or
27 California state law or otherwise violated any law related to any content they placed in any public
28 forum hosted on the various social media platforms at issue in this litigation whether related to

1 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
 2 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
 3 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
 4 Paragraph 41.

5 42. Answering Paragraph 42 of the Complaint, Defendants admit the May 18, 2024 video
 6 posted on Defendants' YouTube channel included a thumbnail consisting of a composite of a photo
 7 of Plaintiff and one of Plaintiff's associate, Kateryna Panova, satirically modified to include the
 8 uniform of a defunct USSR interior ministry called NKVD (The People's Commissariat for Internal
 9 Affairs) and the mostly obscured outline of a Russian police emblem, as part of Defendants' fair
 10 comment and opinions related to Plaintiff's activities that signify her potential connection to the
 11 Russian government. Further answering, Defendants deny that they violated any federal law or
 12 California state law or otherwise violated any law related to any content they placed in any public
 13 forum hosted on the various social media platforms at issue in this litigation whether related to
 14 Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed
 15 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
 16 whatsoever. Except as expressly stated, Defendants deny each and every remaining allegation in
 17 Paragraph 42.

18 43. Answering Paragraph 43 of the Complaint, Defendants deny each and every
 19 allegation set forth in Paragraph 43. Defendants deny that the translated language included in
 20 Paragraph 43 is correct or that it is a true representation of what Defendants posted on their social
 21 media accounts. Further answering, Defendants deny that they violated any federal law or California
 22 state law or otherwise violated any law related to any content they placed in any public forum hosted
 23 on the various social media platforms at issue in this litigation whether related to Plaintiff or
 24 otherwise. Defendants deny they committed defamation, deny that Plaintiff was harmed as a result
 25 of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever.

26 44. Answering Paragraph 44 of the Complaint, Defendants deny each and every
 27 allegation set forth in Paragraph 44. Paragraph 44 also asserts purported recitations and legal
 28 conclusions of law to which no response is required. To the extent a response is required,

1 Defendants further deny the allegations contained in Paragraph 44.

2 45. Answering Paragraph 45 of the Complaint, Defendants deny each and every
3 allegation set forth in Paragraph 45. Paragraph 45 also asserts purported recitations and legal
4 conclusions of law to which no response is required. To the extent a response is required,
5 Defendants further deny the allegations contained in Paragraph 45.

6 46. Answering Paragraph 46 of the Complaint, Defendants deny each and every
7 allegation set forth in Paragraph 46. Paragraph 46 also asserts purported recitations and legal
8 conclusions of law to which no response is required. To the extent a response is required,
9 Defendants further deny the allegations contained in Paragraph 46 including, but not limited to
10 allegations concerning Defendant Kiselev's knowledge concerning Plaintiff's subjective motivations
11 for her actions.

12 47. Answering Paragraph 47 of the Complaint, Defendants state that Plaintiff's
13 allegations in Paragraph 47 are legal conclusions and/or legal descriptions for which no response is
14 required. To the extent a response is required, Defendants deny the allegations contained in
15 Paragraph 47 including, but not limited to, that Defendants had or were conducting a "smear
16 campaign" of any sort.

17 48. Answering Paragraph 48, including footnote 2 of the Complaint, Defendants admit
18 that on March 15, 2024, they posted a video on their YouTube channel containing Defendants' fair
19 comment and opinions related to Plaintiff's activities that signify her potential connection to the
20 Russian government. Except as expressly stated, Defendants deny each and every allegation,
21 including the allegations in footnote 2, set forth in Paragraph 48. Defendants further deny that the
22 translated language included in Paragraph 48 is correct or that it is a true representation of what
23 either Defendant Kiselev or Defendant Burtsev posted on Defendants' Instagram account or stated in
24 the videos on the Defendants' YouTube channel. To the extent the allegations in the Complaint
25 refer, incorporate, or are based on Exhibit 1, Defendants deny that Plaintiff's characterization,
26 translation, and/or summary of the matters attached as Exhibit 1 is true or accurate. Paragraph 48
27 also asserts purported recitations and legal conclusions of law to which no response is required. To
28 the extent a response is required, Defendants deny the allegations contained in Paragraph 48.

1 Further answering, Defendants deny that they violated any federal law or California state law or
 2 otherwise violated any law related to any content they placed in any public forum hosted on the
 3 various social media platforms at issue in this litigation whether related to Plaintiff or otherwise.
 4 Defendants deny they committed defamation, deny that Plaintiff was harmed as a result of any
 5 conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever.

6 49. Answering Paragraph 49 of the Complaint, Defendants admit there are hashtags
 7 attached to posts they made on Defendants' Instagram account. Defendants deny that the translated
 8 language included in Paragraph 48 is correct or that it is a true representation of what either
 9 Defendant Kiselev or Defendant Burtsev posted on Defendants' Instagram account. Except as
 10 expressly stated, Defendants deny each and every remaining allegation in Paragraph 49.

11 50. Answering Paragraph 50 of the Complaint, Defendants deny each and every
 12 allegation set forth in Paragraph 50. Defendants further deny that the translated language included in
 13 Paragraph 50 is correct or that it is a true representation of what Defendants posted on Defendants'
 14 website or stated in the videos on the Defendants' YouTube channel. Further answering, Defendants
 15 deny that they violated any federal law or California state law or otherwise violated any law related
 16 to any content they placed in any public forum hosted on the various social media platforms at issue
 17 in this litigation whether related to Plaintiff or otherwise. Defendants deny they committed
 18 defamation, deny that Plaintiff was harmed as a result of any conduct by any of the Defendants, and
 19 deny that Plaintiff is entitled to any relief whatsoever.

20 51. Answering Paragraph 51 of the Complaint, Defendants admit they are in possession
 21 of documentation that supports Defendants' fair comment and opinions they expressed in their May
 22 18, 2024, video posted on Defendants YouTube channel related to Plaintiff's activities that signify
 23 her potential connection to the Russian government. Defendants deny that the translated language
 24 included in Paragraph 51 is correct or that it is a true representation of what either Defendant Kiselev
 25 or Defendant Burtsev stated. in the videos on the Defendants' YouTube channel. Further answering,
 26 Defendants deny that they violated any federal law or California state law or otherwise violated any
 27 law related to any content they placed in any public forum hosted on the various social media
 28 platforms at issue in this litigation whether related to Plaintiff or otherwise. Defendants deny they

1 committed defamation, deny that Plaintiff was harmed as a result of any conduct by any of the
 2 Defendants, and deny that Plaintiff is entitled to any relief whatsoever. Except as expressly stated,
 3 Defendants deny each and every remaining allegation in Paragraph 51.

4 52. Answering Paragraph 52 of the Complaint, Defendants admit that the videos
 5 Defendants posted to their YouTube channel and referenced in Plaintiff's Complaint, reflect
 6 Defendants' fair comment and opinions, and include questions Defendants posed to their subscribers
 7 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian
 8 government. Defendants admit that Valeriy Katkov had, in the past, initiated legal proceedings
 9 against Defendant Kiselev in the Moscow courts but Katkov was unsuccessful because Defendant
 10 Kiselev was judged to be the prevailing party in those proceedings in September 2021. Defendants
 11 state that following his defeat in Moscow courts, Katkov initiated an appeal, which was also
 12 unsuccessful for Katkov culminating in dismissal of Katkov's lawsuit against Defendant Kiselev in
 13 July 2024. Defendants deny that Katkov was suing Defendant Kiselev at the time that Plaintiff
 14 alleges she contacted Katkov in September 2023. Paragraph 52 also asserts purported recitations
 15 and legal conclusions of law to which no response is required. To the extent a response is required,
 16 Defendants deny the allegations contained in Paragraph 52. Defendants deny that the translated
 17 language included in Paragraph 52 is correct or that it is a true representation of what Defendants
 18 posted on their social media accounts. Further answering, Defendants deny that they violated any
 19 federal law or California state law or otherwise violated any law related to any content they placed in
 20 any public forum hosted on the various social media platforms at issue in this litigation whether
 21 related to Plaintiff or otherwise. Defendants deny they committed defamation, deny that Plaintiff
 22 was harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to
 23 any relief whatsoever. Except as expressly stated, Defendants deny each and every remaining
 24 allegation in Paragraph 52.

25 53. Answering Paragraph 53 of the Complaint, Defendants admit that the videos
 26 Defendants posted to their YouTube channel and referenced in Plaintiff's Complaint, reflect
 27 Defendants' fair comment and opinions, and include questions Defendants posed to their subscribers
 28 related to Plaintiff's contact with Valeriy Katkov and thereby potential connection to the Russian

1 government. Defendants deny that the translated language included in Paragraph 53 is correct or
2 that it is a true representation of what either Defendant Kiselev or Defendant Burtsev stated in the
3 videos on the Defendants' YouTube channel. Further answering, Defendants deny that they violated
4 any federal law or California state law or otherwise violated any law related to any content they
5 placed in any public forum hosted on the various social media platforms at issue in this litigation
6 whether related to Plaintiff or otherwise. Defendants deny they committed defamation, deny that
7 Plaintiff was harmed as a result of any conduct by any of the Defendants, and deny that Plaintiff is
8 entitled to any relief whatsoever. Except as expressly stated, Defendants deny each and every
9 remaining allegation in Paragraph 53.

10 54. Answering Paragraph 54 of the Complaint, Defendants admit the allegations set forth
11 in Paragraph 54.

12 55. Answering Paragraph 55 of the Complaint, Defendants are without sufficient
13 knowledge or information to form a belief as to the truth of any of the allegations in this Paragraph
14 and, on that basis, deny each and every allegation in Paragraph 55.

15 56. Answering Paragraph 56 of the Complaint, Defendants state that Plaintiff's
16 allegations are legal conclusions and/or legal descriptions for which no response is required. To the
17 extent a response is required, Defendants deny that they violated any federal law or California state
18 law or otherwise violated any law related to any content they placed in any public forum hosted on
19 the various social media platforms at issue in this litigation whether related to Plaintiff or otherwise.
20 Defendants deny they committed defamation, deny that Plaintiff was harmed as a result of any
21 conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever. Except
22 as expressly stated, Defendants deny each and every remaining allegation in Paragraph 56.

23 57. Answering Paragraph 57 of the Complaint, Defendants state that Plaintiff's
24 allegations are legal conclusions and/or legal descriptions for which no response is required. To the
25 extent a response is required, Defendants deny that they violated any federal law or California state
26 law or otherwise violated any law related to any content they placed in any public forum hosted on
27 the various social media platforms at issue in this litigation whether related to Plaintiff or otherwise.
28 Defendants deny they committed defamation, deny that Plaintiff was harmed as a result of any

1 conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief whatsoever. Except
2 as expressly stated, Defendants deny the allegations contained in Paragraph 57.

3 58. Answering Paragraph 58 of the Complaint, Defendants state that Paragraph 58 asserts
4 purported recitations and legal conclusions of law to which no response is required. To the extent a
5 response is required, Defendants deny each and every allegation contained in Paragraph 58.

6 59. Answering Paragraph 59 of the Complaint, Defendants state that Paragraph 59 asserts
7 purported recitations and legal conclusions of law to which no response is required. To the extent a
8 response is required, Defendants deny each and every allegation contained in Paragraph 59.

9 60. Answering Paragraph 60 of the Complaint, Defendants state that Paragraph 60 asserts
10 purported recitations and legal conclusions of law to which no response is required. To the extent a
11 response is required, Defendants deny each and every allegation contained in Paragraph 60 with the
12 exception that Defendants admit Russians seeking asylum in the United States could face serious
13 harm if their information and the basis for their asylum requests were leaked to the Russian
14 government. Defendants deny each and every remaining allegation in Paragraph 60.

15 61. Answering Paragraph 61 of the Complaint, Defendants state that Paragraph 61 asserts
16 purported recitations and legal conclusions of law to which no response is required. To the extent a
17 response is required, Defendants deny each and every allegation contained in Paragraph 61.

18 62. Answering Paragraph 62 of the Complaint, Defendants state that Answering
19 Paragraph 62 of the Complaint, Defendants deny each and every remaining allegation in Paragraph
20 62.

21 63. Answering Paragraph 63 of the Complaint, Defendants state that Paragraph 63 asserts
22 purported recitations and legal conclusions of law to which no response is required. To the extent a
23 response is required, Defendants deny each and every allegation contained in Paragraph 63. Further
24 answering, Defendants deny that they violated any federal law or California state law or otherwise
25 violated any law related to any content they placed in any public forum hosted on the various social
26 media platforms at issue in this litigation whether related to Plaintiff or otherwise. Defendants deny
27 they committed defamation, deny that Plaintiff was harmed as a result of any conduct by any of the
28 Defendants, and deny that Plaintiff is entitled to any relief whatsoever.

FIRST CLAIM FOR RELIEF

(Defamation *Per Se* – Against All Defendants)

Defendants incorporate herein by reference its responses set forth in Paragraph Nos. 1 through 63 of this Answer as if fully incorporated herein.

5 64. Answering Paragraph 64 of the Complaint, Defendants admit they posted the
6 September 7, 2023, and May 18, 2024, videos on their YouTube channel to express Defendants' fair
7 comment and opinions related to Plaintiff's activities that signify her potential connection to the
8 Russian government. Defendants are unclear as to which specific video Plaintiff references as the
9 March Video, but fails to identify, in Paragraph 64. Defendants admit they posted an interview with
10 Tatyana Tulin on March 15, 2024, on their YouTube channel which discussed the Rubic.us website
11 and its owner Ekaterina Panova's claim that Ms. Tulin is a spy and that said interview included
12 Defendants' fair comment and opinions related to Plaintiff's activities that signify Plaintiff's
13 potential connection to the Russian government. Because Defendants are unclear which specific
14 video Plaintiff labels as the March Video in the Complaint, Defendants are without sufficient
15 knowledge or information to form a belief as to the truth of any of the allegations related to the
16 March Video in this Paragraph and, on that basis, deny the allegations related to the March Video in
17 Paragraph 64. Except as expressly stated, Defendants deny each and every remaining allegation in
18 Paragraph 64.

19 65. Answering Paragraph 65 of the Complaint, Defendants assert that Plaintiff's
20 allegations in Paragraph 65 are legal conclusions and/or legal descriptions for which no response is
21 required. To the extent a response is required, Defendants admit that Plaintiff complains of events
22 and/or statements occurring in a public forum regarding issues that are of interest to the general
23 public. Except as expressly stated, Defendants deny each and every allegation in Paragraph 65.

24 66. Answering Paragraph 66 of the Complaint, Defendants assert that Plaintiff's
25 allegations in Paragraph 66 are legal conclusions and/or legal descriptions for which no response is
26 required. To the extent a response is required, Defendants deny the allegations contained in
27 Paragraph 66.

28 || 67. Answering Paragraph 67 of the Complaint, Defendants state that Plaintiff's

1 allegations in Paragraph 67 are legal conclusions and/or legal descriptions for which no response is
2 required. To the extent a response is required, Defendants deny the allegations contained in
3 Paragraph 67.

4 68. Answering Paragraph 68 of the Complaint, Defendants assert that Plaintiff's
5 allegations in Paragraph 68 are legal conclusions and/or legal descriptions for which no response is
6 required. To the extent a response is required, Defendants deny the allegations contained in
7 Paragraph 68.

8 69. Answering Paragraph 69 of the Complaint, Defendants assert that Plaintiff's
9 allegations in Paragraph 69 are legal conclusions and/or legal descriptions for which no response is
10 required. To the extent a response is required, Defendants deny the allegations contained in
11 Paragraph 69.

12 70. Answering Paragraph 70 of the Complaint, Defendants assert that Plaintiff's
13 allegations in Paragraph 70 are legal conclusions and/or legal descriptions for which no response is
14 required. To the extent a response is required, Defendants deny the allegations contained in
15 Paragraph 70.

16 71. Answering Paragraph 71 of the Complaint, Defendants assert that Plaintiff's
17 allegations in Paragraph 71 are legal conclusions and/or legal descriptions for which no response is
18 required. To the extent a response is required, Defendants deny the allegations contained in
19 Paragraph 71. Defendants further deny they committed defamation, deny that Plaintiff was harmed
20 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
21 whatsoever.

22 72. Answering Paragraph 72 of the Complaint, Defendants assert that Plaintiff's
23 allegations in Paragraph 72 are legal conclusions and/or legal descriptions for which no response is
24 required. To the extent a response is required, Defendants deny the allegations contained in
25 Paragraph 72. Defendants further deny they committed defamation, deny that Plaintiff was harmed
26 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
27 whatsoever.

28 73. Answering Paragraph 73 of the Complaint, Defendants assert that Plaintiff's

1 allegations in Paragraph 73 are legal conclusions and/or legal descriptions for which no response is
 2 required. To the extent a response is required, Defendants deny the allegations contained in
 3 Paragraph 73. Defendants further deny they committed defamation, deny that Plaintiff was harmed
 4 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
 5 whatsoever.

6 **SECOND CLAIM FOR RELIEF**

7 **(Defamation *Per Quod* – Against All Defendants)**

8 Defendants incorporate herein by reference its responses set forth in Paragraph Nos. 1
 9 through 73 of this Answer as if fully incorporated herein.

10 74. Answering Paragraph 74 of the Complaint, Defendants admit they posted the
 11 September 7, 2023, and May 18, 2024, videos on their YouTube channel to express Defendants' fair
 12 comment and opinions related to Plaintiff's activities that signify her connection to the Russian
 13 government. Defendants are unclear as to which specific video Plaintiff references as the March
 14 Video, but fails to identify, in Paragraph 74. Defendants admit they posted an interview with
 15 Tatyana Tulin on March 15, 2024 on their YouTube channel which discussed the Rubic.us website
 16 and its owner Ekaterina Panova's claim that Ms. Tulin is a spy, and included Defendants' fair
 17 comment and opinions related to Plaintiff's activities that signify Plaintiff's potential connection to
 18 the Russian government. Because Defendants are unclear which specific video Plaintiff labels as
 19 the March Video in the Complaint, Defendants are without sufficient knowledge or information to
 20 form a belief as to the truth of any of the allegations related to the March Video in this Paragraph
 21 and, on that basis, deny the allegations related to the March Video in Paragraph 74. Except as
 22 expressly stated, Defendants deny each and every remaining allegation in Paragraph 74.

23 75. Answering Paragraph 75 of the Complaint, Defendants assert that Plaintiff's
 24 allegations in Paragraph 75 are legal conclusions and/or legal descriptions for which no response is
 25 required. To the extent a response is required, Defendants admit that Plaintiff complains of events
 26 and/or statements occurring in a public forum regarding issues that are of interest to the general
 27 public. Except as expressly stated, Defendants deny each and every allegation contained in
 28 Paragraph 75.

1 76. Answering Paragraph 76 of the Complaint, Defendants assert that Plaintiff's
2 allegations in Paragraph 76 are legal conclusions and/or legal descriptions for which no response is
3 required. To the extent a response is required, Defendants deny the allegations contained in
4 Paragraph 76.

5 77. Answering Paragraph 77 of the Complaint, Defendants assert that Plaintiff's
6 allegations in Paragraph 77 are legal conclusions and/or legal descriptions for which no response is
7 required. To the extent a response is required, Defendants deny the allegations contained in
8 Paragraph 77.

9 78. Answering Paragraph 78 of the Complaint, Defendants assert that Plaintiff's
10 allegations in Paragraph 78 are legal conclusions and/or legal descriptions for which no response is
11 required. To the extent a response is required, Defendants deny the allegations contained in
12 Paragraph 78.

13 79. Answering Paragraph 79 of the Complaint, Defendants assert that Plaintiff's
14 allegations in Paragraph 79 are legal conclusions and/or legal descriptions for which no response is
15 required. To the extent a response is required, Defendants deny the allegations contained in
16 Paragraph 79.

17 80. Answering Paragraph 80 of the Complaint, Defendants assert that Plaintiff's
18 allegations in Paragraph 80 are legal conclusions and/or legal descriptions for which no response is
19 required. To the extent a response is required, Defendants deny the allegations contained in
20 Paragraph 80.

21 81. Answering Paragraph 81 of the Complaint, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of any of the allegations in this Paragraph
23 and, on that basis, deny each and every allegation in Paragraph 81. Paragraph 81 also asserts
24 purported recitations and legal conclusions of law to which no response is required. To the extent a
25 response is required, Defendants further deny the allegations contained in Paragraph 81.

26 82. Answering Paragraph 82 of the Complaint, Defendants assert that Plaintiff's
27 allegations in Paragraph 82 are legal conclusions and/or legal descriptions for which no response is
28 required. To the extent a response is required, Defendants deny the allegations contained in

1 Paragraph 82. Defendants further deny they committed defamation, deny that Plaintiff was harmed
2 as a result of any conduct by any of the Defendants, and deny that Plaintiff is entitled to any relief
3 whatsoever.

4 83. Answering Paragraph 83 of the Complaint, Defendants assert that Plaintiff's
5 allegations in Paragraph 83 are legal conclusions and/or legal descriptions for which no response is
6 required. To the extent a response is required, Defendants deny the allegations contained in
7 Paragraph 83.

PRAAYER FOR RELIEF

9 84. To the extent the Prayer for Relief section of the Complaint requires a response,
10 Defendants deny each and every allegation, claim, and demand contained therein, and further deny
11 that Plaintiff was damaged or injured in any way, or that she was damaged or injured as a result of
12 any of the Defendants' acts, omissions, or representations, and further respond that Plaintiff is not
13 entitled to the relief demanded therein.

II. AFFIRMATIVE DEFENSES

15 Without assuming the burden of proof where it otherwise lies with Plaintiff, Defendants
16 allege the following affirmative defenses:

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Cause of Action)

19 85. The Complaint fails to state facts sufficient to constitute a cause of action against any
20 of the Defendants.

SECOND AFFIRMATIVE DEFENSE

(Lack of Standing)

23 86. Plaintiff's claims are barred, in whole or in part, because, with regard to allegations of
24 alleged actions by and/or statements by these answer Defendants as against persons other than
25 Plaintiff, Plaintiff lacks standing to assert the claims and/or because the claims are more properly
26 asserted by another.

27 | //

28 | //

THIRD AFFIRMATIVE DEFENSE**(Truth)**

3 87. Plaintiff's claims are barred, in whole or in part, because to the extent that any alleged
 4 statements or alleged implications that form the basis for Plaintiff's claims could be interpreted as
 5 asserting verifiable facts, said statements and/or facts are true or substantially true and thus cannot
 6 give rise to any claim against Defendants.

FOURTH AFFIRMATIVE DEFENSE**(Privilege, Legal Justification)**

9 88. Plaintiff's claims are barred, in whole or in part, because Defendants' conduct was
 10 reasonable, legally justified, and/or privileged pursuant to, among others the fair comment privilege,
 11 the common interest privilege under California Civil Code § 47(c), and the fair report privilege
 12 under the First Amendment to the U.S. Constitution and California Civil Code §47(d) and cannot
 13 give rise to any liability on Defendants' part including, by the fair comment privileged

FIFTH AFFIRMATIVE DEFENSE**(No Defamation)**

16 89. Plaintiff's claims are barred, in whole or in part, because any statements and/or
 17 alleged implications that form the basis for Plaintiff's claims do not assert verifiably false facts,
 18 and/or constitute rhetorical hyperbole or subjective statements of opinion, and thus cannot give rise
 19 to any claim against Defendants.

SIXTH AFFIRMATIVE DEFENSE**(Consent)**

22 90. Plaintiff's claims are barred, in whole or in part, based upon consent in that Plaintiff
 23 willingly placed herself in the stream of commerce with regard to the issues of public concern
 24 alleged in her Complaint and, Plaintiff herself, made comments about others providing services the
 25 same as or similar to those offered by Plaintiff.

SEVENTH AFFIRMATIVE DEFENSE**(Legitimate Business Reasons)**

28 91. Plaintiff's claims are barred, in whole or in part, because in every action challenged in

1 the Complaint, Defendants acted at all times in good faith based solely on legitimate business
 2 reasons wholly unrelated to any statutorily impermissible factors.

3 **EIGHTH AFFIRMATIVE DEFENSE**

4 **(Constitutional Protections)**

5 92. Plaintiff's Complaint is barred, in whole or in part, in that the alleged statements of
 6 which Plaintiff complains involve matters of legitimate concern to the public, are protected by
 7 Defendants' right of free speech and/or Defendants' right to petition the government guaranteed by
 8 the First Amendment to the U.S. Constitution as applicable to the states through the Fourteenth
 9 Amendment and Fourteenth Amendments to the U.S. Constitution as well as their right to freely
 10 speak, write and publish their sentiments on all subjects as guaranteed by Article I, § 2(a) of the
 11 California Constitution.

12 **NINTH AFFIRMATIVE DEFENSE**

13 **(Violation of Anti-SLAPP Provisions as to Issues of Public Interest)**

14 93. All of Plaintiff's claims against Defendants arise from Defendants' exercise of each
 15 of their right of free speech, or acts in furtherance of that right, in connection with an issue of public
 16 interest, and thus fall within the scope of California Code of Civil Procedure § 425.16. Because
 17 Plaintiff cannot meet her burden of demonstrating a probability that she will prevail on each of her
 18 claims (or any claim) (including her burden of showing that the challenged statements or
 19 implications are material false, or that Defendants acted with the requisite degree of fault), the
 20 claims must be stricken, and Defendants must be awarded their attorneys' fees and costs incurred in
 21 defending against those claims.

22 **TENTH AFFIRMATIVE DEFENSE**

23 **(Violation of Anti-SLAPP Provisions as to
 Defendants' Right of Petition)**

24 94. All of Plaintiff's claims against Defendant Kiselev and Defendant Burtsev arise from
 25 said Defendants' exercise of each of their right of petition (including, but not limited to: political
 26 asylum under the laws of the United States of America, petition for citizenship, defending unjust
 27 accusations in foreign jurisdictions) and/or defense of , or acts in furtherance of that right, and thus
 28 fall within the scope of California Code of Civil Procedure § 425.16. Because Plaintiff cannot meet

1 her burden of demonstrating a probability that she will prevail on each of her claims (or any claim),
 2 the claims must be stricken, and Defendants must be awarded their attorneys' fees and costs incurred
 3 in defending against those claims.

4 **ELEVENTH AFFIRMATIVE DEFENSE**

5 **(Defendants' Lack of Intent)**

6 95. Plaintiff's claims are barred, in whole or in part, because Defendants, and each
 7 of them, have not acted with the requisite degree of knowledge, intent, or fault.

8 **TWELFTH AFFIRMATIVE DEFENSE**

9 **(Conduct Not Attributable to Defendants)**

10 96. Plaintiff's claims are barred, in whole or in part, to the extent that they arise
 11 from conduct not attributable to the Defendants including, but not limited to, statements and/or
 12 conduct of persons interviewed by Defendants, persons who reported complaints to Defendants
 13 and/or persons who provided information to Defendants concerning the issues raised by Plaintiff in
 14 the Complaint.

15 **THIRTEENTH AFFIRMATIVE DEFENSE**

16 **(Alleged Comments Not "of and Concerning" Plaintiff)**

17 97. Plaintiff's claims are barred, in whole or in part, because some or all of the
 18 allegedly defamatory statements and/or alleged implications that form the basis for Plaintiff's claims
 19 are not "of and concerning" Plaintiff (i.e., claims in the Complaint that refer to alleged comments
 20 and/or actions pertaining to, *inter alia*, Valeriy Katkov, Vladimir Putin, The Modern Law Group,
 21 Kateryna Panova) and thus cannot give rise to a claim by Plaintiff against Defendants.

22 **FOURTEENTH AFFIRMATIVE DEFENSE**

23 **(Alleged Comments Not Susceptible to Defamatory Meaning)**

24 98. Plaintiff's claims are barred, in whole or in part, because some or all of the allegedly
 25 defamatory statements and/or alleged implications that form the basis for Plaintiff's claims are not
 26 reasonably susceptible to a defamatory meaning and thus cannot give rise to any claim against
 27 Defendants.

28 ///

FIFTEENTH AFFIRMATIVE DEFENSE

(Public Figure Plaintiff Required to Plead and Prove Actual Malice)

99. Plaintiff's claims are barred, in whole or in part, because Plaintiff is a public figure and Plaintiff did not adequately allege, and cannot prove, that Defendants published any false statement or implication about Plaintiff with constitutional actual malice.

SIXTEENTH AFFIRMATIVE DEFENSE
(No Defamation *Per Se*)

100. Plaintiff's claims are barred, in whole or in part, because the statements or alleged implications that form the basis for her claims are not defamatory *per se* (or on their face), such that Plaintiff must plead and prove special damages which she has failed and/or cannot do.

SEVENTEENTH AFFIRMATIVE DEFENSE
(No Defamation *Per Quod*)

101. Plaintiff's claims are barred, in whole or in part, because the statements or alleged implications that form the basis for her claims are not defamatory *per quod*; that is the alleged statements cannot, through interpretation, innuendo or the consideration of extrinsic evidence become defamatory.

EIGHTEENTH AFFIRMATIVE DEFENSE
(Failure to Comply with Cal.Civ. Code §48a)

102. Plaintiff's claims are barred, in whole or in part, , and her damages (if any) limited by California's retraction-demand statute, Civil Code § 48a, because Plaintiff failed to properly demand a retraction under California law, has not alleged special damages with sufficient particularity, and cannot prove special damages resulting from any actionable statement about the Plaintiff.

NINETEENTH AFFIRMATIVE DEFENSE

(Single Publication Doctrine)

103. Plaintiff's claims are barred, in whole or in part, by the Uniform Single Publication Act, Cal. Civil Code § 3425.3 such that to the extent the "September Video", the "March Video" the "May Video" the "Instagram Post" (as those items are defined in the Complaint) as well as Plaintiff's allegations Defendants accused her of being "part of a criminal network" a "Russian spy"

1 and/or disclosing information to the Russian government are repetitions of a claim asserted, they
 2 may not serve as the basis for multiple claims or for additional claims for damages.

3 **TWENTIETH AFFIRMATIVE DEFENSE**

4 **(Neutral Reportage Doctrine)**

5 Plaintiff's claims are barred, in whole or in part, by the doctrine of neutral reportage
 6 because Plaintiff is a public figure (or a limited public figure) and, to the extent Plaintiff's claims are
 7 based on statements made by persons or entities other than Defendants, Defendants have merely
 8 reported those statements and, thus, cannot be held liable for defamation as to those alleged
 9 statements.

10 **TWENTY-FIRST AFFIRMATIVE DEFENSE**

11 **(Equitable Defenses)**

12 Plaintiff's claims are barred, in whole or in part, by the equitable doctrines of laches,
 13 waiver, estoppel, and unclean hands because Plaintiff has engaged in public discourse on the issues
 14 upon which her claims are based, has engaged in the same kind of actions against Defendants of
 15 which she complains and has contributed to the controversy by consistently, prominently and
 16 without ceasing continued to bring into the public arena the very matters on which she bases her
 17 allegations of defamation.

18 **TWENTY-SECOND AFFIRMATIVE DEFENSE**

19 **(Failure to Allege Damages)**

20 Plaintiff's claims are barred, in whole or in part, because Plaintiff's damages, if any
 21 are vague, uncertain, and speculative in that Plaintiff has failed to allege facts and/or failed to allege
 22 them with sufficient specificity as to, *inter alia*, how her reputation has been damaged and/or any
 23 negative impact on her earning capacity and the any fact finder would be required to engage in
 24 speculation in order to impose damages with regard to whether, how, and the extent of damages to
 25 Plaintiff.

26 **TWENTY-THIRD AFFIRMATIVE DEFENSE**

27 **(Exclusivity of Workers' Compensation)**

28 107. To the extent Plaintiff's alleged harm includes claims for mental and emotional

1 distress, or other physical, emotional, or mental injury, those claims are barred by the exclusive
 2 remedy provisions of the California Workers' Compensation Act (Cal. Lab. Code §§ 3600(a) *et seq.*)
 3 and/or Section 29(6) of the New York Workers' Compensation Law (*see also, Siegel v. Garibaldi*,
 4 158 A.D.3d 1049 (3rd Dep't 2018)) as Plaintiff's claims arise from actions and/or events that
 5 occurred in the course and scope of her employment with The Modern Law Group.

6 **TWENTY-FOURTH AFFIRMATIVE DEFENSE**

7 **(Lack of Proximate Cause)**

8 108. Plaintiff's claims are barred, in whole or in part, because any damages allegedly
 9 suffered by Plaintiff, if any, were not proximately caused by Defendants.

10 **TWENTY-FIFTH AFFIRMATIVE DEFENSE**

11 **(Failure to Mitigate)**

12 109. Plaintiff's claims are barred, in whole or in part, because of Plaintiff's failure to
 13 mitigate her alleged damages, if any in that she consistently, prominently and without ceasing
 14 continued to bring into the public arena the very matters on which she bases her allegations of
 15 defamation.

16 **TWENTY-SIXTH AFFIRMATIVE DEFENSE**

17 **(Plaintiff's Contributory Fault)**

18 110. Plaintiff's claims are barred, in whole or in part, because any damages allegedly
 19 suffered by Plaintiff were the result, in whole or in part, of Plaintiff's own legal fault, and any
 20 recovery should be reduced in proportion to Plaintiff's fault in that her own negligent and/or
 21 deliberate conduct exposed her to criticism with regard to her business practices and, thereafter,
 22 Plaintiff consistently, prominently and without ceasing continued to bring into the public arena the
 23 very matters on which she bases her allegations of defamation.

24 **TWENTY-SEVENTH AFFIRMATIVE DEFENSE**

25 **(Plaintiff's Damages, If Any, Are Fault of Others)**

26 111. Defendants, and each of them, deny that Plaintiff suffered any damages as a
 27 consequence of any actionable conduct by Defendants. If, however, Plaintiff has suffered any
 28 damages, any damages allegedly suffered by Plaintiff were either wholly or in part the legal fault of

1 persons, firms, corporations, or entities other than Defendants, and that legal fault reduces the
 2 percentage of responsibility, if any, which is to be borne by Defendants.

3 **TWENTY-EIGHTH AFFIRMATIVE DEFENSE**

4 **(Plaintiff's Conduct Bars Recovery)**

5 112. Plaintiff's claims are barred, in whole or in part, by Plaintiff's misrepresentation,
 6 fraud, deception, and/or deceptive conduct, and by misrepresentations and/or actionable omissions
 7 made by Plaintiff in connection with matters related to or arising out of Plaintiff's relationship and
 8 dealings with Defendants, and/or events and allegations referenced in the Complaint including, but
 9 not limited Plaintiff as the origin of the controversy, Plaintiff continually bringing into the public
 10 arena the very matters on which she bases her allegations of defamation, and Plaintiff engaging in
 11 the activities of which she complains

12 **TWENTY-NINTH AFFIRMATIVE DEFENSE**

13 **(Unfair / Anti-competitive Conduct)**

14 113. Plaintiff's claims are barred, in whole or in part, or limited, to the extent that Plaintiff
 15 and/or its partners, agents, employers and/or others acting in concert with Plaintiff or under her
 16 direction has or have engaged in unfair and/or anti-competitive conduct including the institution of
 17 this lawsuit seeking to eliminate the competition posed by Defendants.

18 **THIRTIETH AFFIRMATIVE DEFENSE**

19 **(Unfair / Anti-competitive Conduct)**

20 114. Plaintiff's claims are barred, in whole or in part, or limited, to the extent that Plaintiff
 21 and/or its partners, agents, employers and/or others acting in concert with Plaintiff or under her
 22 direction has or have engaged in unfair and/or anti-competitive conduct including the institution of
 23 this lawsuit seeking to eliminate the competition posed by Defendants.

24 **THIRTIETH-FIRST AFFIRMATIVE DEFENSE**

25 **(Punitive Damages Barred Due to Lack of Requisite Fault)**

26 115. Plaintiff is not entitled to punitive or exemplary damages because the statements
 27 and/or alleged implications that form the basis for Plaintiff's claims involve matters of public
 28 concern and no statement or implication about Plaintiff was published with the requisite degree of

1 fault and Defendants at all times made a good faith effort to comply with the law, and any actions
 2 taken with respect to Plaintiff were done without malice, conscious disregard or reckless indifference
 3 to Plaintiff's rights, .

4 **THIRTY-SECOND AFFIRMATIVE DEFENSE**

5 **(Punitive Damages Barred by Constitutional Considerations)**

6 116. Plaintiff's Complaint, to the extent that it seeks punitive damages against Defendants,
 7 violates Defendants', and each of their, rights to procedural and substantive due process under the
 8 Fifth and Fourteenth Amendments to the United States Constitution and Article I, § 7 of the
 9 California Constitution because, among other things, (1) of the vagueness and uncertainty of the
 10 criteria for the imposition of punitive damages and the lack of fair notice of what conduct will result
 11 in the imposition of such damages; (2) there is no legitimate state interest in punishing Defendants'
 12 allegedly unlawful conduct at issue here, or in deterring its possible repetition; (3) the alleged
 13 wrongful conduct at issue here is not sufficiently reprehensible to warrant any punitive damage
 14 recovery; (4) any punitive damage award would be grossly out of proportion to the alleged wrongful
 15 conduct at issue here; (5) imposition of punitive damages violates Defendants', and each of their,
 16 rights to protection from "excessive fines"; and (6) imposition of punitive damages against
 17 Defendants would deny equal protection of the laws

18 **THIRTY-THIRD AFFIRMATIVE DEFENSE**

19 **(Cal.Civ. Code §3294 is Unconstitutional)**

20 117. To the extent that the Complaint seeks punitive damages authorized under Civil Code
 21 § 3294 or any other California law, no punitive damages may constitutionally be awarded because
 22 that statute is unconstitutional under the Fifth and Fourteenth Amendments to the United States
 23 Constitution and Article I, § 7 and Article IV, § 16 of the California Constitution because neither it,
 24 nor any other law of California, establishes the maximum punitive damages award which may be
 25 imposed in this case. Therefore, Plaintiff cannot recover punitive damages against Defendants in this
 26 case.

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THIRTY-FOURTH AFFIRMATIVE DEFENSE
(Injunctive Relief Barred)

118. Plaintiff's request for injunctive relief is barred, in whole or in part, because the request is overbroad and, even if not overbroad, because any such injunction would be an unconstitutional prior restraint on speech in violation of the First and Fourteenth Amendments to the United States Constitution and Article I, § 2(a) of the California Constitution.

THIRTY-FIFTH AFFIRMATIVE DEFENSE
(Reservation of Rights)

119. Defendants have insufficient knowledge or information upon which to form a belief as to whether they may have additional, as yet unstated, separate defenses available to them. Defendants, and each of them, reserve their right to assert additional separate defenses in the event discovery indicates that such defenses would be appropriate. Defendants, and each of them, further reserve the right to supplement, amend, or modify their separate and additional defenses, as appropriate, based on information obtained during the course of this litigation.

PRAYER

WHEREFORE, Defendants TEACHBK, INC., ILYA KISELEV and ANDREY BURTSEV
pray that:

1. The Court deny Plaintiff's prayer for relief;
2. The Court dismiss Plaintiff's Complaint in its entirety with prejudice;
3. That judgment be entered in favor of each of the Defendants and against Plaintiff;
4. Defendants be awarded cost of suit incurred in this action, including reasonable attorney's fees to the fullest extent allowed by law; and
5. The Court grant such other further relief as may be deemed just and proper.

DATED: March 20, 2025

LAW OFFICES OF ALLA V. VOROBETS

/s/ Alla V. Vorobets

Alla V. Vorobets, Attorney for Defendants
TEACHBK, INC., ILYA KISELEV and
ANDREY BURTSEV

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1 **DEMAND FOR JURY TRIAL**

2 Defendants TEACHBK, INC., ILYA KISELEV and ANDREY BURTSEV hereby demand a
3 trial by jury of all issues triable of right by jury in connection with the above-captioned action,
4 including, without limitation, the Plaintiff's Complaint and the claims and causes of actions alleged
5 therein, and Defendants' Answer and affirmative defenses to the foregoing.
6

7 DATED: March 20, 2025

LAW OFFICES OF ALLA V. VOROBETS

8 /s/ Alla V. Vorobets

9 Alla V. Vorobets, Attorney for Defendants
10 TEACHBK, INC., ILYA KISELEV and
11 ANDREY BURTSEV

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1 **LAW OFFICES OF ALLA V. VOROBETS**
2 Alla V. Vorobets, SBN 258586
3 9270 Madison Avenue
4 Orangevale, CA 95662
5 Tel: (916) 966-8529
6 Fax: (916) 966-8527

7 **PROOF OF SERVICE BY EMAIL**

8 I am a resident of the State of California, over the age of eighteen years, and not a party to
9 the within action. My business address is 9270 Madison Avenue, Orangevale, CA 95662. On
10 **March 20, 2025** I served the within documents:

11 **FIRST AMENDED ANSWER TO PLAINTIFF'S COMPLAINT FOR DEFAMATION**

12 (X) By Email Transmission

13 By transmitting by facsimile a true and correct copy thereof to the person and at the email
14 address indicated below, and by verifying sending of email to the recipient by checking the sent
15 folder; and / or

16 ETHAN JACOBS LAW CORPORATION
17 Ethan Jacobs, Esq.
18 ethan@ejacobslaw.com
19 100 Pine Street, Suite 1250
20 San Francisco, CA 94111

21 SLATER LEGAL PLLC
22 James M. Slater, Esq.
23 james@slater.legal
24 2296 Henderson Mill Rd. NE #116
25 Atlanta, GA 30345

26 I declare under penalty of perjury under the laws of the State of California that the above is
27 true and correct.

28 Executed on **March 20, 2025** at Orangevale, California.

29 /s/ Alla V. Vorobets
30 Alla V. Vorobets